

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PATRICIA CHENBY,  
Plaintiff,  
v.  
EMMAUS, INC.,  
Defendant.

CIVIL ACTION NO. 04-11627 RGS

NOTICE OF DISMISSAL

Plaintiff hereby gives notice, pursuant to Fed. R. Civ. P. 41(a)(1)(i), that Count II of Plaintiff's Complaint, a claim for violation of the Family and Medical Leave Act of 1993, asserted in the above-captioned action against Defendant Emmaus, Inc. is voluntarily dismissed with prejudice, and that Plaintiff is waiving all rights of appeal and agrees to bear her own costs and attorneys' fees with respect to this claim.

Respectfully Submitted,  
ATTORNEY FOR PLAINTIFF,

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Dated: September 3, 2004

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